IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Eric Schliemann Confirmation No.: 8428

Serial No. : 10/539,922

Filed : August 9, 2007

TC/A.U. : 3754

Examiner : D. A. Long

Docket No. : 05-431 Customer No. : 34704

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313

ASSERTION OF SMALL ENTITY STATUS AND REQUEST FOR REFUND

Dear Sir:

Applicants hereby claim that the above-identified patent application is entitled to small entity status.

Consonant with 37 C.F.R. 1.28(a), Applicants respectfully request a refund in the amount of \$65.00 for the excess fee paid on October 30, 2009.

If any fees are required in connection with this case, it is respectfully requested that they be charged to Deposit Account No. 02-0184.

Respectfully submitted,

By /Gregory P. LaPointe #28395/ Gregory P. LaPointe Attorney for Applicant Reg. No.: 28,395

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Date: November 16, 2009